ORIGINAL

COVAD

Hamilton Square 600 14th Street NW Suite 750 Washington, DC 20005
W > www.covad.com

T > 202.220.0400
F > 202.220.0401

26 October 2000

Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

EX PARTE OR LATE FILED

Re: Application by Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verrizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions) And Verizon Global Networks Inc., for Authorization to Provide In-Region, InterLATA Services in Massachusetts, CC Docket No. 00-176

Dear Ms. Salas:

On October 26, 2000, the undersigned, on behalf of Covad Communications Company (Covad), together with Valerie Evans and Jon Berard of Covad, made an oral *ex parte* presentation in the above-referenced docket to Praveen Goyal of the Common Carrier Bureau. In that presentation, Covad responded to a request from Commission staff to provide further details on certain of Covad's statements in its comments in opposition to Verizon's application. This *ex parte* letter details the comments made by Covad in that meeting, and also responds to Commission staff's request for further legal support for Covad's position. As such, the *ex parte* page limitations set forth in this docket do not apply to this letter. Because the *ex parte* presentation took place at the end

of the business day, this notification and summary are being filed on the first business day after the presentation.

In the *UNE Remand Order*, the Commission adopted numerous additional obligations on incumbent LECs to provide access to loop prequalification information. Specifically, the Commission required incumbents, pursuant to section 251(c)(3) of the Act, to provide:

> nondiscriminatory access to the same detailed information about the loop that is available to the incumbent, so that the requesting carrier can make an independent judgment about whether the loop is capable of supporting the advanced services equipment the requesting carrier intends to install. Based on these existing obligations, we conclude that, at a minimum, incumbent LECs must provide requesting carriers the same underlying information that the incumbent LEC has in any of its own databases or other internal records. For example, the incumbent LEC must provide to requesting carriers the following: (1) the composition of the loop material, including, but not limited to, fiber optics, copper; (2) the existence, location and type of any electronic or other equipment on the loop, including but not limited to, digital loop carrier or other remote concentration devices, feeder/distribution interfaces, bridge taps, load coils, pair-gain devices, disturbers in the same or adjacent binder groups; (3) the loop length, including the length and location of each type of transmission media; (4) the wire gauge(s) of the loop; and (5) the electrical parameters of the loop, which may determine the suitability of the loop for various technologies. Consistent with our nondiscriminatory access obligations, the incumbent LEC must provide loop qualification information based, for example, on an individual address or zip code of the end users in a particular wire center, NXX code, or on any other basis that the incumbent provides such information to itself.[1]

Importantly, because of the timing of the submission of SWBT's section 271 application for Texas, the FCC specifically stated that it was not evaluating SWBT's compliance with the new loop prequalification information requirements.[2] Because those rules are now in effect, Verizon must demonstrate to the Commission that it is in full compliance with those rules.

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[1] *UNE Remand Order* at para. 427.
[2] *SWBT Texas 271 Order* at para. 165.

Verizon contends in its application for section 271 authority that competitive LECs have access to "the same database that Verizon's retail personnel use to qualify an end user customer's line for Verizon's retail ADSL service," plus "data on why a loop does not qualify."[3] While it may be true that Verizon grants competitive LECs access to the same pre-qualification database that its own retail representatives use, that is not the obligation imposed on Verizon by the *UNE Remand Order* – and more importantly, it is not the information that Covad needs in order to compete with Verizon. Indeed, the Commission specifically rejected that very characterization of incumbent OSS obligations in that Order: "We also clarify that under our existing rules, the relevant inquiry is not whether the retail arm of the incumbent has access to the underlying loop qualification information, but rather whether such information exists anywhere within the incumbent's back office and can be accessed by any of the incumbent LEC's personnel."[4] In the face of this clear and unambiguous language, Verizon continues to insist that it is in compliance with the Commission's rules because Covad has been granted access to the same database Verizon's retail representatives use.

Why is such a limitation on Covad's access to pre-qualification information so anitcompetitive? Because Verizon offers only one "flavor" of DSL – ADSL in a linesharing environment – its retail representatives don't care about the detailed parameters of the loop. They only need a "yes-no" as to whether the loop will work for ADSL. Covad, on the other hand, offers a wide variety of DSL "flavors" -- ADSL, SDSL, IDSL, for example – all of which are subject to technical limitations depending on loop parameters. Thus, Covad must know, *inter alia*, the particular gauge (thickness) of a

[3] Verizon Lacouture/Ruesterholz Declaration at para. 108.
[4] *UNE Remand Order* at para. 430.

loop, its bridged and unbridged lengths, and the specific number and location of any electronic impedences on the loop, such as load coils and DAMLs, to determine how high a speed of service the loop can handle. Verizon does not provide that information to Covad in Massachusetts, despite the clear rule requiring it to provide "information on the existence, location and type of any electronic or other equipment on the loop, including but not limited to, digital loop carrier or other remote concentration devices, feeder/distribution interfaces, bridge taps, load coils, pair-gain devices, disturbers in the same or adjacent binder groups . . . loop length, including the length and location of each type of transmission media . . . [and] the wire gauge(s) of the loop.[5] Verizon must provide requesting carriers access to loop pre-ordering information "that the incumbent LEC has in any of its own databases or other internal records."[6] The obligation is not tied to information that Verizon's retail representatives use, nor is it limited to only providing an explanation as to why a loop was rejected.[7] Verizon is not in compliance with the *UNE Remand Order*.[8]

There is no question that Verizon possesses this type of loop prequalification information in its electronic records. Soon after the *UNE Remand Order* became

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[5] *UNE Remand Order* at para. 427.

[6] *UNE Remand Order* at para. 427.

[7] Such information is vital to Covad's ability to offer service. Questions of loop length, loop makeup, quality of the loop, and other technical parameters are vital to determining what flavors of DSL Covad can offer over that loop. Because Covad offers a much wider variety of DSL services than Verizon, the information that Verizon retail representatives use is woefully insufficient for Covad. Indeed, this is the exact reason the Commission adopted its stringent OSS rules: to ensure that Verizon could not wed competitors to its own retail services and nothing more innovative simply by limiting competitors' access to loop information.

[8] It is interesting to note that out of one side of its mouth Verizon argues that CLECs have access to all the prequalification information they need through Verizon's automated loop qualification tool, while out of the other side it excuses itself from its horrible loop performance by claiming that CLECs are using the manual loop qualification process for a large percentage of loop orders. If the automated prequalification tool offered by Verizon is providing all the information CLECs need, why on earth would any CLEC need to use the expensive and time consuming manual loop qualification process? At least one of these Verzion representations cannot be true.

effective, Covad and other competitive LECs began a battle against Verizon to secure access to the loop prequalification information that the Commission's rules require Verizon to provide. As set out in greater detail in Covad's comments, Verizon has refused to provide access to the loop prequalification information it possesses in its network.[9] On a March 3, 2000, conference call, moderated by New York P.S.C. Administrative Law Judge Stein and attended by representatives of Verizon and Telcordia, Verizon finally agreed to end months of opposition to simply providing a list of what loop qualification information exists in its LFACS databases. Verizon emailed a list of fields available to the email distribution list of the New York DSL collaborative, and a copy of that email and document are attached. The document spells out all of the loop prequalfication information that is resident in LFACS – information that Covad needs in order to be able to offer service to its customers – that Verizon refuses to this day to provide to competitive LECs in Massachusetts and throughout its territory.[10]

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[9] *See* Covad Comments at pp. 39-43.

[10] The type of information that Covad has asked all incumbent LECs to provide as part of the atuomated prequalification process is exactly the type of information that the Commission intended, in the *UNE Remand Order*, to ensure that CLECs could access. For example, the following list, while not exhaustive, suggests the type of information Covad requires in order to offer consumers the widest possible variety of innovative services. Covad would note that, for example, SBC provides or is in the process of providing Covad today most of this information. Could would further note that, as the attached document indicates, most if not all of this information is contained in the LFACS database to which Verizon refuses to grant CLECs access.

1. Loop length
2. Loop length by segment
3. Loop length by gauge
4. 26 gauge equivalent loop length (calculated)
5. Number of gauge changes
6. Quantity of load coils
7. Location of load coils
8. Quantity of bridged taps
9. Location of bridged taps
10. Length of bridged taps
11. Quantity of repeaters
12. Location of repeaters
13. Type of repeaters
14. Quantity of Low pass filters

Verizon's contention that its prequalification tool provides all necessary information to competitive LECs must be parsed to see what Verizon is really saying. Whereas Verizon has made its prequalification tool available to numerous central offices in Massachusetts, it has not made available the prequalification *information* to which Covad is entitled pursuant to the *UNE Remand Order*. Thus, whereas Verizon may have programmed its prequalification OSS to contain data fields to hold such information, it hasn't actually put the loop information itself into those databases. As a result, Verizon is able to claim that it its OSS is updated – when in fact it has only updated the information the prequalfication tool can hold, without actually putting any information into that tool. Verizon's assertion that 93% of Massachusetts central offices with collocation are covered by its prequalfication tool is facially accurate – but the Commission should be concerned about the *information provided* through that tool, not its mere existence.

The result: simply put, Covad has no access to loop prequalficiation information in Massachusetts. Attached to this *ex parte* letter are screen shots, as requested by the

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15. Location of Low pass filters
16. Quantity of Range extenders
17. Location of Range extenders
18. Quantity of pair gain/DLC
19. Location of pair gain/DLC
20. Type of pair gain/DLC
21. Qualification status of the loop based on specified PSD.
22. Source of data – actual or designed
23. Presence of DAML
24. Presence of disturbers in same or adjacent binder groups
25. Whether the loop originates at a Remote Switching Unit (RSU)
26. Location of RSU (Remote Switching Unit)
27. Type of RSU (Remote Switching Unit)
28. Type of Plant (aerial or buried)
29. Loop Medium (type of loop copper or fiber)
30. Length of loop that is copper or fiber
31. Availability of spare facilities
32. Resistance Zone
33. Origin of data contained in each element (manual or electronic database)

Commission, of the responses Covad gets back from the Verizon prequalification tool in Massachusetts. Rather than provide any of the detailed loop information that the FCC's rules require it to provide, Verizon simply informs Covad whether the loop qualified or not: a yes or no. With a "no" response comes no information other than "address tested not qualified" -- meaning it wouldn't qualify for Verizon's retail service, or "spectrum management T-1" meaning the loop doesn't qualify pursuant to Verizon's own internal technical specifications. In addition, sometimes a loop length is provided, and sometimes it is not – and it is only Verizon's statistical "guess" as to what the loop length really is. [11] These reasons for rejection have themselves been rejected by the Commission – Verizon simply is not permitted to reject loops based on its own internal rules. Another of the attached pre-qualification responses shows loop not qualified because of "digital loop carrier." Covad offers a product called IDSL through digital loop carriers, but it requires more information on the underlying loop than just the presence of a DLC. Verizon, on the other hand, does not offer such a service, and thus does not provide its retail customers DSL service through a DLC, so its retail representatives only need know that a DLC is present, and that ends the inquiry. Thus, Verizon weds CLECs to the same service parameters as Verizon retail simply by refusing to provide detailed loop information – as a result, consumers are denied DSL service from Covad. This is why Covad desperately needs access to the underlying loop parameters – so Covad can decide

[11] Even to the extent that Verizon does provide limited prequalification information through its "Livewire" prequalification tool, that information is based on a statistical sampling of binder groups, not information on a particular loop. As a result, the "loop length" information, when and if provided by Livewire, is a guess based on probability, not an actual loop length. LFACS, Verizon's own prequalification database to which CLECs are denied access, contains actual information on loops, not just statistical samples. This is why access to the information located in LFACS and other Verizon databases is so crucial to CLECs.

for itself whether it wants to offer service over a particular loop, rather than leaving that decision to Verizon.[12]

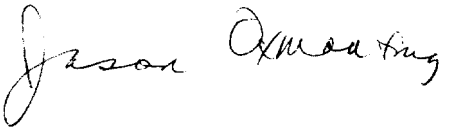
Facilities issues

Section 251(c)(3) of the Act and the Commission's rules implementing that statutory provision impose a simple nondiscrimination obligation on Verizon and other incumbents LECs. Specifically, Verizon is required, pursuant to both section 251(c)(3) and the competitive checklist of section 271 to provide "nondiscriminatory access" to unbundled network elements. Despite the fact that Covad provides Verizon with forecasts on predicted loop UNE order volume in Massachusetts and other Verizon states, Verizon has refused to discuss with Covad its plans to ensure that sufficient loops are available for Covad's use. As a result, Covad is faced with "facilities" issues for a large percentage of its Massachusetts loop orders. "Facilities" issues can mean that a second loop is not available because Verizon is reserving it for its own use, because the loop doesn't work, or because Verizon has failed to migrate existing loops to UNE usage. All Covad seeks is access to Verizon's plan for dealing with facilities issues – if it has one at all. To the extent that Verizon deals with facilities issues internally for its retail services – which is most certainly does – it must have a system in place to ensure that it does not discriminate against its wholesale customers, like Covad, in provisioning UNEs. As detailed in the attached letter from Covad to Verizon on this subject, Verizon has refused to disclose *any* steps it has taken to ensure nondiscriminatory UNE provisioning where facilities issues occur. In order to ensure that Verizon is in compliance with the nondiscrimination provisions of the competitive checklist, the Commission should

[12] Despite Covad's repeated requests, Verizon has not yet informed Covad when its central offices in Massachusetts will actually have accessible the loop qualification information Verizon claims is accessible.

require Verizon to respond to Covad's request that Verizon implement a nondiscrminatory facilities assignment policy.

Respectfully submitted,



Jason Oxman
Senior Government Affairs Counsel
Covad Communications Company
600 14th Street, N.W., Suite 750
Washington, D.C. 20005
phone: 202-220-0409
fax: 202-220-0401
mobile: 202-258-4714

cc:
Dorothy Attwood, Chief, Common Carrier Bureau
Glenn Reynolds, Associate Chief, Common Carrier Bureau
Praveen Goyal, Common Carrier Bureau
Christopher Libertelli, Common Carrier Bureau
Michael Jacobs, Common Carrier Bureau
Michelle Carey, Chief, Policy Division, Common Carrier Bureau
Kathy Farroba, Deputy Chief, Policy Division, Common Carrier Bureau
Eric Einhorn, Common Carrier Bureau
Jared Carlson, Common Carrier Bureau
All Eighth Floor Common Carrier Advisors

Grasso, Florence

From: Oxman, Jason
Sent: Thursday, October 26, 2000 9:14 AM
To: Oxman, Jason
Subject: FW: LFACS description from Telcordia

Mac Word 3.0

-----Original Message-----
From: william.d.smith@bellatlantic.com
[mailto:william.d.smith@bellatlantic.com]
Sent: Friday, March 03, 2000 9:44 AM
To: MClancy@Covad.COM; thomas.w.mccarroll@bellatlantic.com;
TGZ@dps.state.ny.us; PAutry@nas-corp.com; hrosendale@nas-corp.com;
rpoole@nas-corp.com; DMM@dps.state.ny.us; EES@dps.state.ny.us;
kscovill@ChoiceOneCom.Com; arpetrilla@swidlaw.com;
ladolqueist@swidlaw.com; susan.spear@mci.com; gary@technologylaw.com;
sjdavis@Covad.COM; itzkowitz@att.com; mdef@epix.net;
mhou@BroadViewNet.com; rrowe@rhythms.net; NFeldman@nas-corp.com;
robert.mccausland@allegiancetelecom.com; christy@technologylaw.com;
ehgeis@rhythms.net; rbuntrock@kelleydrye.com; marksan@epix.net;
taulisio@northpointcom.com; annette.guariglia@wcom.com;
jpetrie@ChoiceOneCom.Com; jeremy@technologylaw.com; wbluemling@dsl.net;
rcrittendon@prismcsi.net; ekelly@prismcsi.net;
bryant.smith@mail.sprint.com; TMcKiver@rhythms.net;
jkaminski@prismcsi.net; rfkc12207@aol.com; wclopp@ems.att.com;
aisar@harbor-group.com; mparoda@ChoiceOneCom.Com;
mrosengrant@ChoiceOneCom.Com; Curtis.Groves@mci.com;
karen.r.sistrunk@mail.sprint.com; lcrittenden@prismcsi.net;
rwilliams@rhythms.net; bfarley@caxixi.den.rhythms.net;
mike.nelson@mail.sprint.com; michele_palermo@globalcrossing.com;
mary.burns@oag.state.ny.us; paulina-essunger@deshaw.com;
fishman@deshaw.com; cfncd@oag.state.ny.us; cfnkhg@oag.state.ny.us;
cfnjes@oag.state.ny.us; juliana_janson@globalcrossing.com;
amy.stern@bellatlantic.com; "maureen.p.davis/empl"@bellatlantic.com;
bruce@nysia.org; alice@nynma.org; james.bardwil@bellatlantic.com;
loriann.ercan@allegiancetelco.att.com; joxman@Covad.COM;
scorona@prismcsi.net; mdangelo@NEXTLINK.com; pbulloch@usacomm.com;
mcarpenter@dsl.net; laurie_maffett@globalcrossing.com; hdavidow@att.com;
prosenkranz@att.com; sholdges@att.com; haldipur@att.com;
rcbarber@att.com; fpappalardo@att.com; chrisnurse@att.com;
john.l.white@bellatlantic.com; william.r.allan@bellatlantic.com;
augustine.j.trinchese@bellatlantic.com;
william.d.smith@bellatlantic.com;
david.j.kelly.bagd9gw@bellatlantic.com; c.b.nogay@bellatlantic.com;
johnmullen@bellatlantic.com; SAndreassi@BroadViewNet.com;
vmontemaro@ChoiceOneCom.Com; tromine@ChoiceOneCom.Com;
dcalagiovanni@ChoiceOneCom.Com; gharris@northpoint.net;
bpoliverio@aol.com; kimberly.scardino@wcom.com; DMalone@nas-corp.com;
htibbetts@rhythms.net; jwesley@rhythms.net; kgoodman@rhythms.net;
lconry@rhythms.net; nturnbo@caxixi.den.rhythms.net;
pbannwart@rhythms.net; pandrianopoulos@rhythms.net; swargo@rhythms.net;
James.R.Davis@mail.sprint.com; amy.stern@bellatlantic.com;
bfarley@caxixi.den.rhythms.net
Subject: LFACS description from Telcordia

Attached is the Telcordia Document regarding LFACS.

Telcordia LFACS (Loop Facility and Assignment Control System) is a network management system that provides configuration management for subscriber access (loop) networks incorporating copper, fiber and digital loop electronics. For these networks, LFACS supports inventory management, administration, and assignment of loop facilities for service requests and network rearrangements.

The key functions of LFACS are to:

- Administer and automatically assign transport facilities from the subscriber's premises to the central office, including copper, fiber, and digital loop electronics
- Administer and automatically generate work instructions for connecting these transport facilities at cross-connect devices, including distribution terminals to the subscriber's premises and cross-boxes

LFACS also provides inventory management for transport facilities and cross-connect devices, as well as for the relationships and attributes needed to support the provisioning process. This functionality provides basic add, inquire, modify, and delete capabilities.

LFACS supports Outside Plant (OSP) Inventory:

—customer service address information: standard living units, FLEX living units
- basic living unit, supplemental location data: Unit (room, suite), floor and building, community and state, living unit restrictions, living unit remarks.

—serving terminals
terminal types include: fixed, ready access, crossbox, fiber inter-connect, electronic (TSI-Time Slot Interchange), optical unit terminals (fiber distribution terminal types), remote terminals (i.e., crossboxes or distribution terminals with remote switching equipment associated with them), controlled environment vault, pedestal, encapsulated.

— "big" terminals (where LFACS uses only spare pair assignment).

—relationships between serving terminals and customer service addresses (also called living units or facility addresses).

—cross-connect restricted terminals. The restriction may be an inventory restriction (which implies physical access to the terminal is limited and this restriction may not be overridden by the end-user) or assignment restricted (which is an administrative rather than physical restriction. This type of restriction may be overridden by the end-user manual assignment).

—cross-connect information (LFACS supports up to 9 segments of plant for a single loop)

—cables and pairs:

- Metal
- DLC (digital loop carrier) with field-side and co-side Line Terminal Statuses (LTS codes), side door port and time slot interface attributes
- FN pair gain
- Fiber
- DAML (Digital Added Main Line)
- DLE/SA (Digital Loop Electronic/Service Activation)
- OPS-INE (Operations System-Intelligent Network Element)
- Attributes are also stored, such as: telemetry, loop makeup, buffer zone, cut-in binding posts, defect type, pair restrictions

—Loop information

- Working loops- related information including: circuit ID, assignable line USOC, customer living unit data, distribution terminal if different from serving terminal, wire out of limits data, additional line, essential line, suspend/sublet, single subscriber carrier, administration of designed services review (ADSR), special protection, special measures, one wire circuit, field-bridged, working-with, position and jack.
  - Idle (connect through, connected facilities, partial connected facilities Primary/Secondary commit) loops, date loop went idle (age).

—TAS (Telephone Answering Service)

—electronic concentrators

LFACS maintains the following information on a loop basis:

- Status of assembled facility
- Receive/Transmit Indicator (indicator returned on 4-wire circuits to denote the receive side and the transmit side of the circuit)
- Single Subscriber Carrier Indicator
- Per Segment (1-9 segments per loop)
  - Cable identifier
  - Pair Identifier
  - Assignable Binding Post
  - Terminal Identifier
  - Count Qualification Code
  - Count Despecialization Code
  - Transmission Medium Type
  - Loop Makeup Status
  - Length Unit
  - Load Point Number, Null if Non-loaded
  - Load Coil Type
  - End Section (the distance from the central office to the first load coil)
  - Load Spacing (up to 15 occurrences)
  - Build Out (1-2 per Loop Make Up)
    - Build Out Capacity
    - Build Out Aggregate
    - Build Out Offset
  - Splice Information (1-10 times per Loop Make Up)
    - Gauge
    - Length
    - Type of cable
    - Capacitance
    - Bridge Tap Offset (indication if gauge length is bridge tap)

EXAMPLE 1

PON 713295 TELEPHONE# 978-287[redacted]

https://bar.bellatlantic.com/ts_webgui/servlet/NewPreorder - Microsoft Internet Explorer

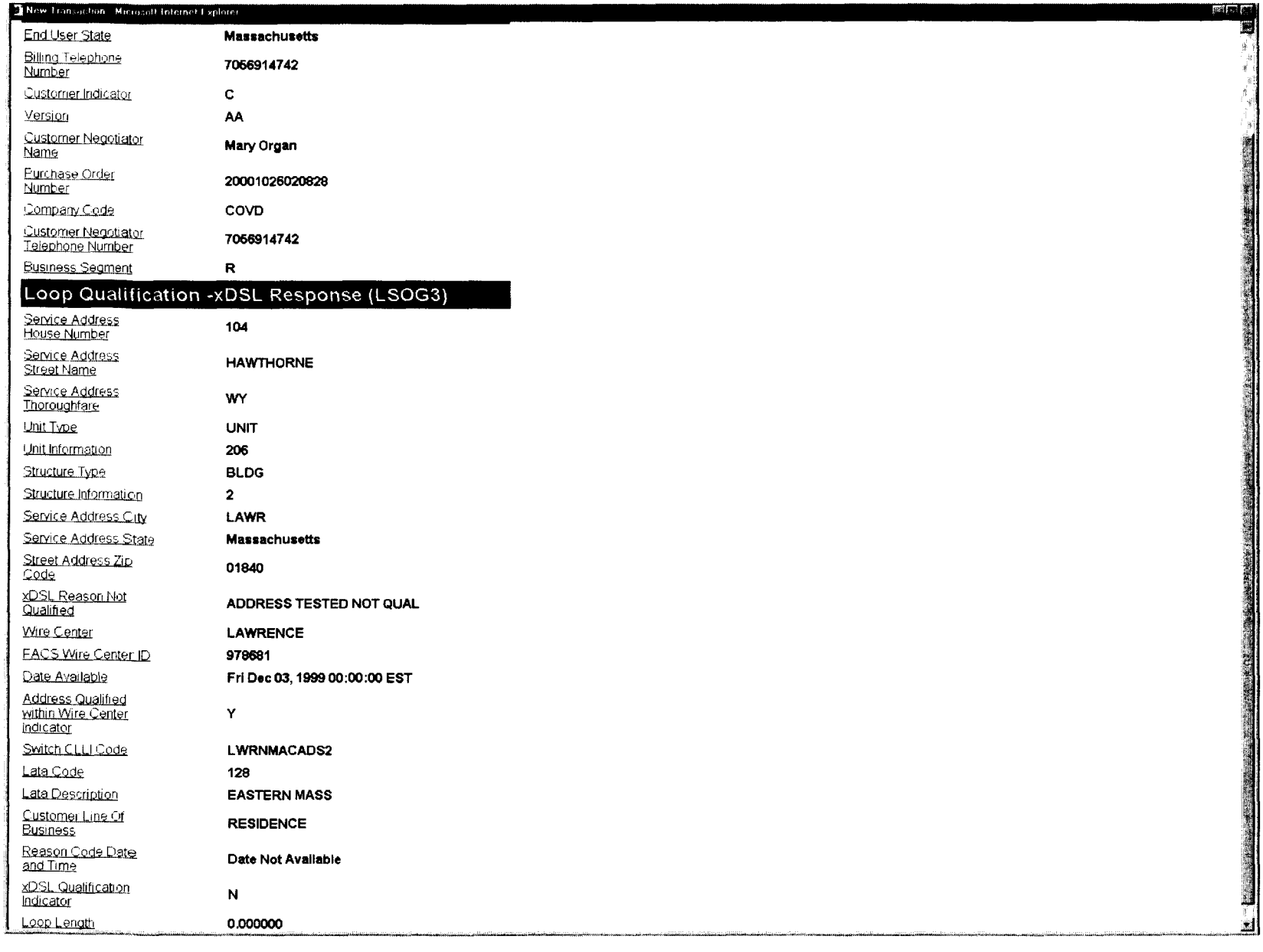
End User State	**Massachusetts**
Billing Telephone Number	**7056914742**
Customer Indicator	**C**
Version	**AA**
Customer Negotiator Name	**Mary Organ**
Purchase Order Number	**20001026015436**
Company Code	**COVD**
Customer Negotiator Telephone Number	**7056914742**
Business Segment	**R**

Loop Qualification -xDSL Response (LSOG3)

Service Address House Number	**1329**
Service Address Street Name	**MAIN**
Service Address City	**CONC**
Service Address State	**Massachusetts**
Street Address Zip Code	**01742**
xDSL Reason Not Qualified	**ADDRESS TESTED NOT QUAL**
Wire Center	**CONCORD/CARLISLE**
FACS Wire Center ID	**978369**
Date Available	**Thu Apr 27, 2000 00:00:00 EDT**
Address Qualified within Wire Center Indicator	**Y**
Switch CLLI Code	**CNCRMAWADS0**
Lata Code	**128**
Lata Description	**EASTERN MASS**
Customer Line Of Business	**RESIDENCE**
Reason Code Date and Time	**Date Not Available**
xDSL Qualification Indicator	**N**
Loop Length	**23.30000**

Example 2

PON 716015 TELEPHONE # 978-685-[redacted]



New Transaction - Microsoft Internet Explorer

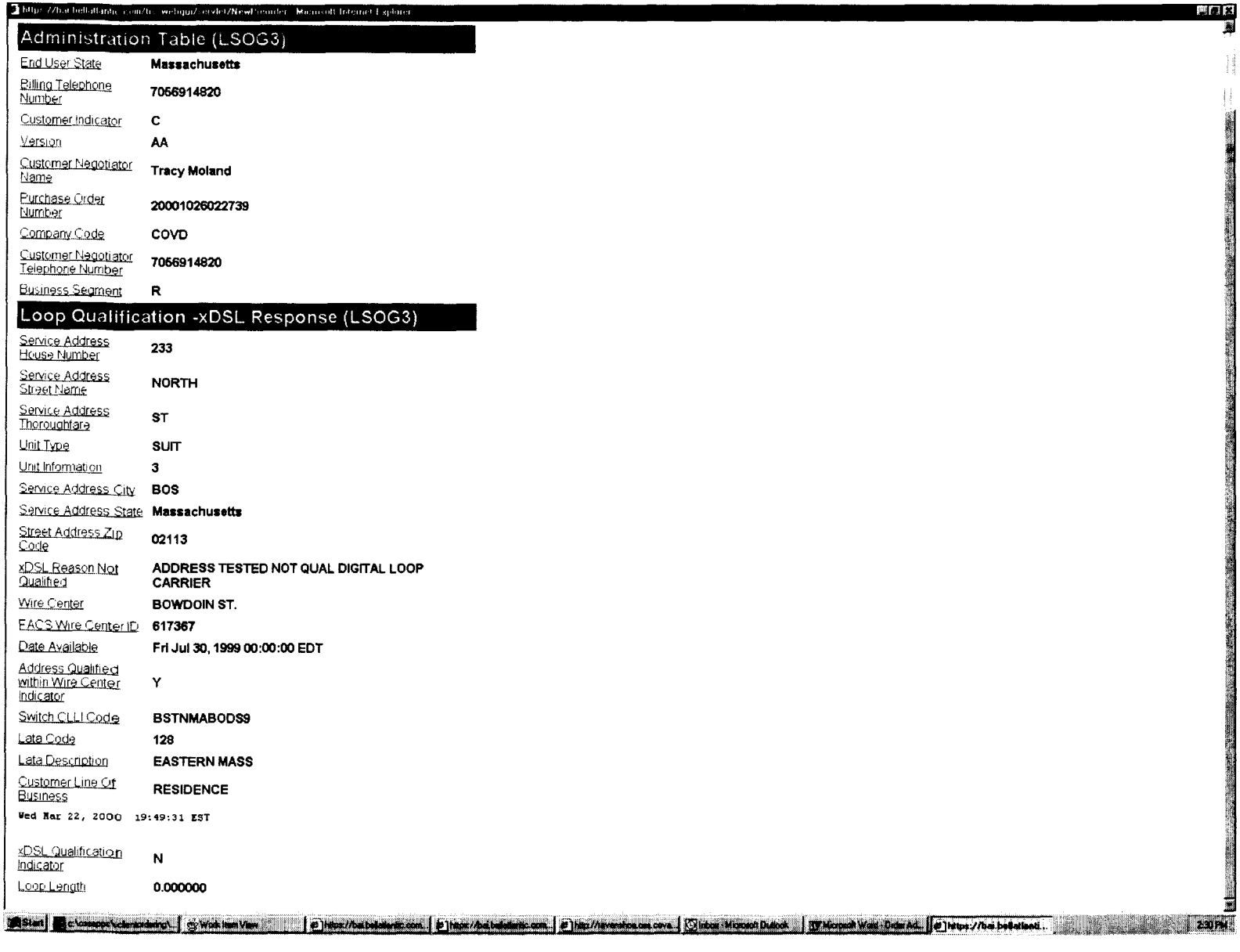
End User State	**Massachusetts**
Billing Telephone Number	**7056914742**
Customer Indicator	**C**
Version	**AA**
Customer Negotiator Name	**Mary Organ**
Purchase Order Number	**20001026020828**
Company Code	**COVD**
Customer Negotiator Telephone Number	**7056914742**
Business Segment	**R**

Loop Qualification -xDSL Response (LSOG3)

Service Address House Number	**104**
Service Address Street Name	**HAWTHORNE**
Service Address Thoroughfare	**WY**
Unit Type	**UNIT**
Unit Information	**206**
Structure Type	**BLDG**
Structure Information	**2**
Service Address City	**LAWR**
Service Address State	**Massachusetts**
Street Address Zip Code	**01840**
xDSL Reason Not Qualified	**ADDRESS TESTED NOT QUAL**
Wire Center	**LAWRENCE**
FACS Wire Center ID	**979681**
Date Available	**Fri Dec 03, 1999 00:00:00 EST**
Address Qualified within Wire Center Indicator	**Y**
Switch CLLI Code	**LWRNMACADS2**
Lata Code	**128**
Lata Description	**EASTERN MASS**
Customer Line Of Business	**RESIDENCE**
Reason Code Date and Time	**Date Not Available**
xDSL Qualification Indicator	**N**
Loop Length	**0.000000**

Example 3

PON 710327 TELEPHONE # 617-723-[redacted]



Administration Table (LSOG3)

End User State	**Massachusetts**
Billing Telephone Number	**7056914820**
Customer Indicator	**C**
Version	**AA**
Customer Negotiator Name	**Tracy Moland**
Purchase Order Number	**20001026022739**
Company Code	**COVD**
Customer Negotiator Telephone Number	**7056914820**
Business Segment	**R**

Loop Qualification -xDSL Response (LSOG3)

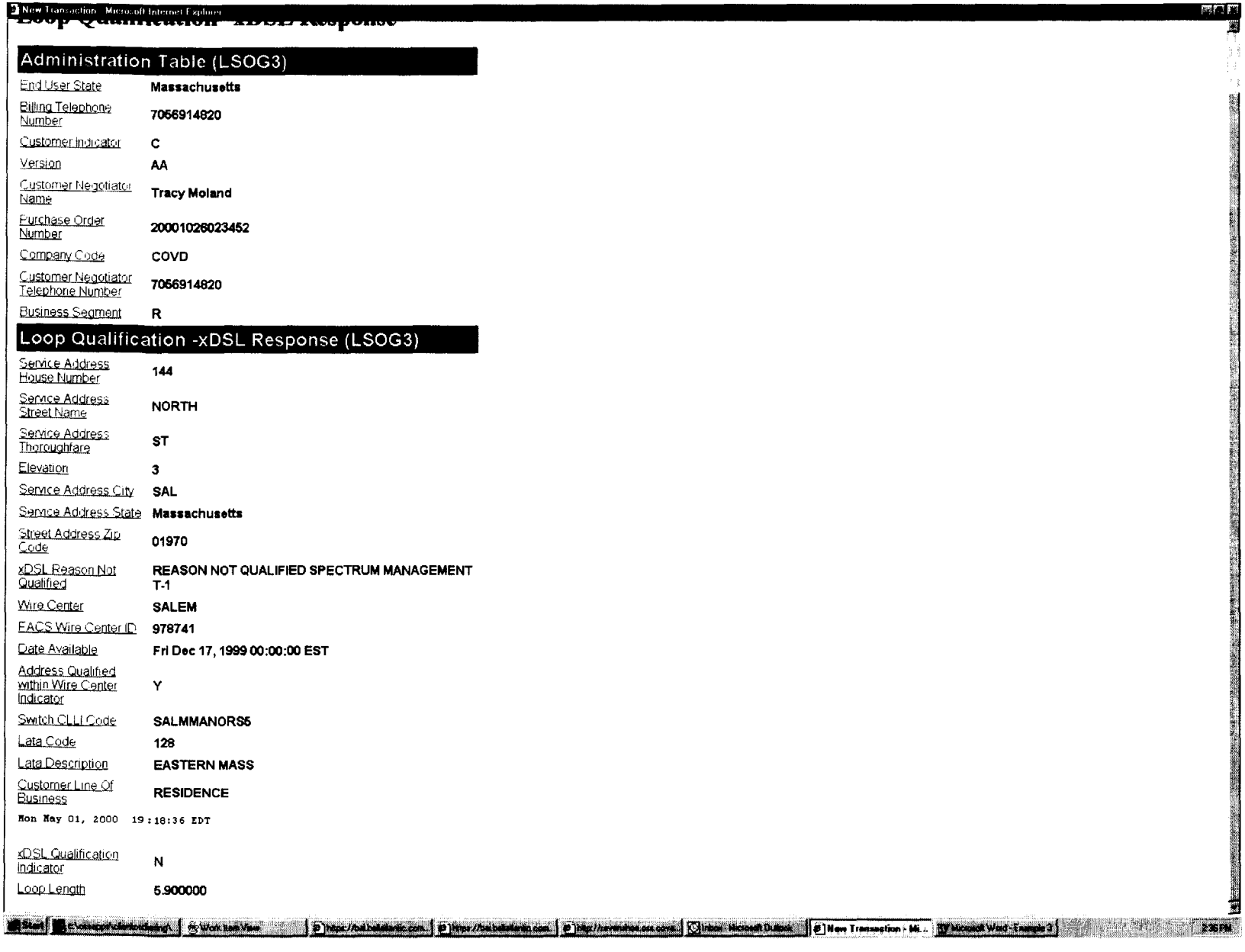
Service Address House Number	**233**
Service Address Street Name	**NORTH**
Service Address Thoroughfare	**ST**
Unit Type	**SUIT**
Unit Information	**3**
Service Address City	**BOS**
Service Address State	**Massachusetts**
Street Address Zip Code	**02113**
xDSL Reason Not Qualified	**ADDRESS TESTED NOT QUAL DIGITAL LOOP CARRIER**
Wire Center	**BOWDOIN ST.**
FACS Wire Center ID	**617367**
Date Available	**Fri Jul 30, 1999 00:00:00 EDT**
Address Qualified within Wire Center Indicator	**Y**
Switch CLLI Code	**BSTNMABODS9**
Lata Code	**128**
Lata Description	**EASTERN MASS**
Customer Line Of Business	**RESIDENCE**

Wed Mar 22, 2000 19:49:31 EST

xDSL Qualification Indicator	**N**
Loop Length	**0.000000**

EXAMPLE 4

PON 711455 TELEPHONE # 978-740[redacted]



Administration Table (LSOG3)

End User State	**Massachusetts**
Billing Telephone Number	**7056914820**
Customer Indicator	**C**
Version	**AA**
Customer Negotiator Name	**Tracy Moland**
Purchase Order Number	**20001026023452**
Company Code	**COVD**
Customer Negotiator Telephone Number	**7056914820**
Business Segment	**R**

Loop Qualification -xDSL Response (LSOG3)

Service Address House Number	**144**
Service Address Street Name	**NORTH**
Service Address Thoroughfare	**ST**
Elevation	**3**
Service Address City	**SAL**
Service Address State	**Massachusetts**
Street Address Zip Code	**01970**
xDSL Reason Not Qualified	**REASON NOT QUALIFIED SPECTRUM MANAGEMENT T-1**
Wire Center	**SALEM**
EACS Wire Center ID	**978741**
Date Available	**Fri Dec 17, 1999 00:00:00 EST**
Address Qualified within Wire Center Indicator	**Y**
Switch CLLI Code	**SALMMANORS5**
Lata Code	**128**
Lata Description	**EASTERN MASS**
Customer Line Of Business	**RESIDENCE**

Mon May 01, 2000 19:18:36 EDT

xDSL Qualification Indicator	**N**
Loop Length	**5.900000**

COVAD

The Internet as it should be.

VIA EMAIL

September 7, 2000

Dave Russell
Account Manager
Verizon Communications
125 High Street
5th floor, Room 516
Boston, MA 02110

Dear Dave,

As you are well aware, Covad continues to grow exponentially in the Verizon footprint (I am specifically interested in the part of Verizon that was the former Bell Atlantic North and South, not GTE). Although all of us expect line sharing to lessen the need for spare copper facilities, we will continue to order many UNE loops for our premium services.

We provide an annual forecast of expected loops in your footprint. Yet, as we do our business on a day to day basis, we run into facilities issues anywhere from 10-15% of the time, depending on the state, within Verizon. In many cases, we are simply told there is no more copper available.

I would like to obtain from you some detailed and specific information about the state of the copper facilities in Verizon, to which we believe we are entitled to see under the FCC's UNE Remand Order.[1] Specifically, here are the questions I would like you to address:

1. Do you have a formal **copper** facility relief plan in place to deal with CLECs' forecast for UNE copper loops?
2. If so, can this plan be shared with Covad?
3. Does this plan differ by state within Verizon?
4. If so, can these different variations of the plan be shared with Covad?
5. How do you inventory spare copper?
6. In general, how much of your network is 100% fiber, from CO to the nearest serving terminal?
7. Is this information available to Covad, by CO?
8. What regions / states have the least amount of spare copper?
9. How much of the network, by CO, is now served via DLC? Who are the primary DLC vendors by geographic region in your footprint?
10. What is the plan or process to clear defective pairs or to do bulk pair recovery and records updating in those wire centers where you have limited copper facilities available?
11. What is Verizon's "audit trail" for Covad to be certain that all means are being pursued to clear a defective pair or to find an available pair for our orders that are returned for lack of facilities? This would include swapping current voice lines to fiber to free up copper for use by Covad.

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[1] *Implementation of The Local Competition Provisions of The Telecommunications Act of 1996*, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, CC Docket No. 96-98, FCC 99-238 (rel. November 5, 1999) ("*UNE Remand Order*").

As our wholesale provider, you can imagine that these facilities issues are fast becoming critical to our ability to succeed in the marketplace. We are increasingly setting customer expectations that are not met by the lack of copper facilities in the Verizon footprint.

Please provide us with a formal response to this letter no later than September 22, 2000.

Thank you for your prompt attention to this matter.

Jim Katzman

Jim Katzman
ILEC Relations
Covad Communications

Cc: Tom Dreyer
Minda Cutcher
Valerie Evans